

**TOWN OF BUCKEYE
REGULAR COUNCIL MEETING
NOVEMBER 2, 2004
MINUTES**

1. Call to Order/Roll Call/Pledge of Allegiance.

The meeting was called to order at 6:08 p.m. by Mayor Hull.

Members Present: Councilman Meck, Councilman Beard, Vice Mayor Urwiller, Mayor Hull, Councilwoman May, and Councilman Garza (joined 7:10 p.m.).

Members Absent: Councilman Doster

Staff Present: Carroll Reynolds, Scott Ruby, Linda Garrison, Lucinda Aja, Ron Brown, Scott Rounds, Todd Pasquel, Toni Brown, Bob Costillo, Dee Hathaway, Larry Harmer, Rick Morley, Dave Owens, Phil Garthright, Jason Hardison, and Woody Scoutten.

2. Comments from the Public - None

Approval of items on the Consent Agenda – There will be no separate discussion of these items unless a Councilmember requests.

CONSENT AGENDA All items with an (*) are considered to be routine matters and will be enacted by one motion and vote of the Town Council. Councilman Meck requested that item 5B be removed for discussion. A motion made by Councilman Meck and seconded by Vice Mayor Urwiller to approve items 3, 4, 5A, 5C, 5D, 5E, and 5F. Motion passed unanimously.

***3.** Council approved the minutes of the October 19, 2004 workshop amending the absence of Councilman Beard to Councilman Garza and approving the regular minutes as presented.

***4.** Council approved invoices due by the Town for payment. Copies of invoices are available at the Town Hall.

5. NEW BUSINESS

***5A.** Council approved the request to donate \$2,500 to the Salvation Army Angel Tree Program to be funded from the contingency fund.

***5C.** Council approved the lease purchase of two (2) Lafrance pumpers and Festival Ranch's purchase of one (1) Pierce pumper.

***5D.** Council approved a contract amendment with Kennedy/Jenks Consultants Inc. for continued inspection of the wastewater treatment plant upgrade in the amount of \$37,869.

***5E.** Council approved a contract with Basin Tree Service & Pest Control for maintenance of public right-of-way and certain public facilities in the amount of \$152,492 and to authorize the Mayor to sign the contract.

OLD BUSINESS

***5F.** Council adopted Ordinance 44-04 amending the Town Code and adding an Appendix A to Chapter 23 establishing the Buckeye Municipal Airport Fee Schedule and declaring an emergency and read by title only.

NON CONSENT AGENDA ITEMS

***5B.** After some discussion a motion made by Councilman Meck and seconded by Vice Mayor Urwiller to approve the Intergovernmental Agreement for the Phoenix Fire Department Regional Service System. Motion passed unanimously.

5G. Resolution 49-04 Quest Broadband Services, Inc., a Cable Television License Agreement

After a short discussion about what services would be included in the cable agreement moved by Councilman Beard and seconded by Councilman Meck to adopt Resolution 49-04 granting a Quest Broadband Services, Inc., a Cable Television License Agreement; authorizing the Mayor to sign the agreement, and read by title only. Motion passed unanimously.

NEW BUSINESS

5H. Ordinance 45-04 Annexation -YOUNGKER, B. BAR G. FARMS, L.L.L.P., MARVEN INVESTMENTS (Copper Falls) A04-14

Moved by Councilman Meck and seconded by Councilman Beard to table Ordinance 45-04 increasing the corporate limits of the Town of Buckeye by annexing certain territory contiguous to the existing Town limits. Motion passed unanimously.

5I. Ordinance 46-04 Rezoning- YOUNGKER, B. BAR G. FARMS, L.L.L.P., MARVEN INVESTMENTS (Copper Falls) RZ04-254

Moved by Councilman Meck and seconded by Councilwoman May to table Ordinance 46-04 amending the Land Use District map of the own of Buckeye in that area located generally southwest from the intersection of Broadway and Miller Road from the RR (Rural Residential Land Use District) to the PC (Planned Community Land Use District). Motion passed unanimously.

5J. Ordinance 47-04 Rezoning- YUMA-WATSON CROSSING, L.L.C. RZ04-307

Request by Douglas Luther on behalf of Yuma-Watson Crossing, L.L.C. for the rezoning of 20 acres generally located southwest from the intersection of Yuma Road and Watson Road. There being no discussion a motion made by Councilwoman May and seconded by Councilman Beard to advisable adopt Ordinance 47-04 amending the Land Use District map of the Town in that area located generally west of the southwest corner of the intersection of Watson Road and Yuma Road from the MR (Mixed Residential Land Use District) to the CC (Commercial Center Land Use District) and read by title only. Motion passed unanimously.

5K. Ordinance 48-04-GARRETSON A04-12

Request by John Garretson for the annexation of approximately 305 acres generally located east of Miller Road between McDowell Road and Yuma Road, the northeast quarter of Section 8, Township 1 North, Range 3 West, of the Gila and Salt River Base and Meridian, Maricopa County. Larry Harmer was questioned about this being in the Town limits. Engineer Woody Scoutten explained that it was located on VanBuren, not McDowell. Motion made by Councilman Meck and seconded by Councilwoman May to adopt Ordinance 48-04 increasing the corporate limits of the Town of Buckeye by annexing certain territory contiguous to the existing Town limits and read by title. Motion passed unanimously.

5L. Resolution 55-04- GARRETSON MGPA 04-242

Requested by John Garretson of approximately 305 acres generally located east of Miller Road between McDowell Road and Yuma Road. Motion made by Councilwoman May and seconded by Vice Mayor Urwiller to table Resolution 55-04 authorizing a Major General Plan Amendment to the Town of Buckeye's General Development Plan Land Use District Map and amending the designation of approximately 305 acres generally located east of Miller Road between McDowell Road and Yuma Road from Rural Residential to Planned Community and read by title only.. Motion passed unanimously.

5M. Ordinance 49-04-Rezoning Miller Road between McDowell Road and Yuma Road from R-43 GARRETSON RZ04-243

Motion made by Councilwoman May and seconded by Councilman Beard to table Ordinance 49-04 amending the Land Use District Map of the Town of Buckeye in the area generally east of Miller Road between McDowell Road and Yuma Road from R-43, Maricopa County, to PR, Planned Community. Motion passed unanimously.

5N. Ordinance 50-04-. Annexation BENNETT/HINDMAN A04-16

Request by Roy Bennett and Kyle Hindman for the annexation of approximately 194 acres generally located south of Beloit Road and east of Rooks Road in the northeast quarter of Section 7, Township 1 South, Range 3 West, of the Gila and Salt River base and Meridian, Maricopa County. Councilman Meck abstained from any discussion and voting. There being no discussion a motion made by Vice Mayor Urwiller and seconded by Councilwoman May to adopt Ordinance 50-04 increasing the corporate limits of the Town of Buckeye by annexing certain territory contiguous to the existing Town limits and read by title only. Motion passed unanimously.

5O. Resolution 57-04-Rezoning BENNETT/HINDMAN MGPA 04-275

Motion made by Councilman Beard and seconded by Vice Mayor Urwiller to table Resolution 57-04 authorizing a Major General Plan Amendment to the Town of Buckeye General Development Plan Land Use District Map and amending the designation of approximately 194 acres generally located south of Beloit Road and east of Rooks Road from Rural Residential to approximately 159 acres of Planned Residential and 35 acres of Commercial Center. Motion passed unanimously.

5P. Ordinance 51-04-Rezoning . BENNETT/HINDMAN RZ04-276

Motion made by Councilwoman May and seconded by Vice Mayor Urwiller to table Ordinance 51-04 amending the Land Use District map of the Town of Buckeye in that area generally located south of Beloit Road and east of Rooks Road from R-43, Maricopa County, to Planned Residential (approximately 159 acres) and Commercial Center (approximately 35 acres). Motion passed unanimously.

5Q. Ordinance 52-04-Annexation YUMA-WATSON CROSSING, L.L.C. A04-11

Motion made by Councilwoman May and seconded by Councilman Beard to table Ordinance 52-04 increasing the corporate limits of the Town of Buckeye by annexing certain territory contiguous to the existing Town limits and read by title only. Request by Douglas Luther on behalf of Yuma-Watson Crossing, L.L.C. for the annexation of approximately 157 acres located south of the southeast corner of Broadway Road and Rooks Road. Motion passed unanimously.

5R. Ordinance 53-04-Rezoning YUMA-WATSON CROSSING L.L.C. RZ04-239

Motion made by Councilwoman May and seconded by Vice Mayor Urwiller to table Ordinance 53-04 amending the Land Use District Map of the Town of Buckeye in that area generally located south and east of the Broadway Road and Rooks Road intersection from R-43, Maricopa County, to Planned Residential (141 acres) and Commercial Center (16 acres). Motion passed unanimously.

5S. PUBLIC HEARING – TRILLIUM, L.L.C. A04-18

Mayor Hull opened the the Public Hearing at 7:32 p.m. to hear citizen input on the request by Trillium L.L.C. for the proposed annexation of 1,600 acres located in the east half of Section 12, Township 3 North, Range 5 West of the Gila and Salt River Base and Meridian; all of Section 13, Township 3 North, Range 5 West of the Gila and Salt River Base and Meridian; and all of Section 24, Township 3, North, Range 5 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, generally located south of Greenway Road, west of Sun Valley Parkway, north of Peoria Ave., and east of 315th Avenue. There being no comments from the public Mayor Hull closed the hearing at 7:33 p.m.

5T. Resolution 58-04- Final Plat. FRY’S MARKETPLACE FP04-336

Request by David Newquist and Rob Ault in behalf of Fry’s Marketplace & Pad for a commercial plat consisting of 8 lots on 18.97 net acres. Community Development Director Larry Harmer pointed out that this would have a common access. Valencia would supply water and the Town would supply sewer. Motion made by Vice Mayor Urwiller and Councilwoman May to adopt Resolution 58-04 approving the Final Plat of a subdivision to be known as “Watson and Yuma” as located southwest from the intersection of Yuma Road and Watson Road and as also located within a portion of the northeast quarter of Section 16, Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, and read by title only.. Motion passed unanimously.

5U. Resolution 59-04- HANCOCK COMMUNITIES FP04-227

Request by RBF Consulting on behalf of Hancock Communities for a site consisting of 114 lots on 23.33 net acres. There being no discussion a motion made by Councilwoman May and seconded by Vice Mayor Urwiller to adopt Resolution 59-04 approving the Final Plat of a subdivision to be known as “Sundance Parcel 17” located in the Master Planned Community of Sundance and also located in the northwest quarter of Section 11, Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County and read by title only. Motion passed unanimously.

5V. Resolution 60-04- HANCOCK COMMUNITIES FP04-279

Request by RBF Consulting on behalf of Hancock Communities for a site consisting of 156 lots on 34.75 net acres. There being no discussion a motion made by Councilwoman May and seconded by Councilman Beard to adopt Resolution 60-04 approving the Final Plat of a subdivision to be known as 'Sundance Parcel 23A' located in the Master Planned Community of Sundance and also located in a portion of the southwest quarter of Section 11, Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County and read by title only. Motion passed unanimously.

5W. Resolution 61-04- HANCOCK COMMUNITIES FP04-281

Request by RBF Consulting on behalf of Hancock Communities for a site consisting of 132 lots on 27.39 net acres. There being no discussion a motion made by Councilwoman May and seconded by Vice Mayor Urwiller to adopt Resolution 61-04 approving the Final Plat of a subdivision to be known as 'Sundance Parcel 16' located in the Master Planned Community of Sundance and also located in a portion of the northwest quarter of Section 11, Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, and read by title only. Motion passed unanimously.

5X. Resolution 62-04-Final Plat Verrado Parcel 5.707 DMB WHITE TANK LLC FP04-342

Request by Biskind, Hunt & Taylor, P.L.C. on behalf of Fidelity National Ins. Co. as Trustee of its Trust No. B176, as the owners and on behalf of DMB White Tank L.L.C. for a site consisting of 38 residential lots and 13 tracts of approximately 5.08 acres. There being no discussion a motion made by Councilman Meck and seconded by Councilman Garza to adopt Resolution 62-04 approving the Final Plat of a subdivision to be known as 'Verrado Parcel 5.707' located in the within Planning Unit V at the northwest corner of Sunrise Lane and Verrado Way in the western portion of Phase 1 of the Verrado Master Planned Community in a portion of Section 24, Township 2 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, and read by title only.

5Y. Resolution No. 63-04- Tartesso West Community Facilities District

There being no discussion a motion made by Councilman Meck and seconded by Vice Mayor Urwiller to adopt Resolution No. 63-04 forming such District and entering into a Development, Financing Participation and Intergovernmental Agreement No. 1 with such District declaring an emergency and read by title only. Motion passed unanimously.

6. Town Manager's Report

- Toni Brown was introduced as the Town's new Human Resources Director
- Countryfest activities will be this coming weekend.
- Town of Buckeye's Redevelopment Coordinator Marilyn Hutchins resigned.
- A Town Hall meeting has been scheduled for November 18, 2004. (*Rescheduled to November 17, 2004.*)
- November 13, 2004 is scheduled for a Council Retreat for Main Street Development.

7. Comments from the Mayor and Council

Councilman Meck-November 18, 2004 is the Chamber's mixer at Benbow Park from 6:00 to 8:00. This will conflict with the Town Hall Meeting. Steven Earl is working on a book for Planning and Zoning with pictures of developments.

Councilman Beard-None

Vice Mayor Urwiller- None

Councilwoman May-None

Councilman Garza-Station 2 groundbreaking was wonderful.

Mayor Hull- Town Manager Carroll Reynolds will be on vacation in the month of December returning January 4, 2005. He recommended that the two Council meetings be cancelled. The Fire Station 2 groundbreaking was great.

8. Adjournment.

There being no further business to come before the Council moved by Vice Mayor Urwiller and seconded by Councilman Meck to adjourn at 8:08 p.m. The motion passed unanimously.

Dustin Hull, Mayor

ATTEST:

Linda Garrison, Town Clerk

I hereby certify that the foregoing is a true and correct copy of the Council Retreat held on the 18th day of September, 2004. I further certify that the meeting was duly called and that a quorum was present.

Linda Garrison, Town Clerk